

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SEP 2 - 2005

UNITED STATES OF AMERICA,
Plaintiff,

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

V.

Criminal No. 1:05 CR 83
Violations: 18 U.S.C. §1347
21 U.S.C. §843(a)(3)

LOUIS F. ORTENZIO, JR., M.D.,
Defendant.

INFORMATION

The United States Attorney charges that:

COUNT ONE

(Health Care Fraud, 18 U.S.C. § 1347)

From in or about January 1998 to in or about April 2002, at or near Harrison County, West Virginia, within the Northern Judicial District of West Virginia and elsewhere, defendant LOUIS F. ORTENZIO, JR., M.D. did knowingly and willfully execute and attempt to execute a scheme and artifice to defraud Medicare and Medicaid, health care benefit programs, in connection with the delivery of and payment for health care benefits, items and services by submitting claims for reimbursement for services that were not rendered and by submitting claims for reimbursement in an amount greater than was permissible in light of the service rendered, and by causing Medicare to issue checks and payments based upon and in payment of the false and fraudulent claims as demonstrated by the following:

<u>Date</u>	<u>Patient (initials)</u>	<u>Item (Remittance)</u>
August 13, 2001	L.M.	183.81

IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1347

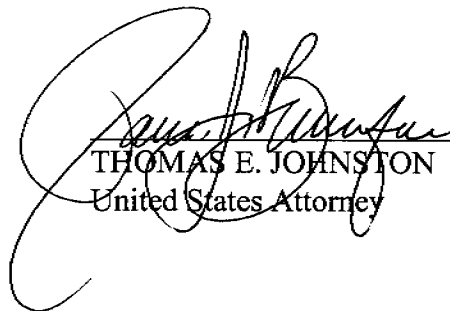
COUNT TWO

(Obtaining Controlled Substances by Fraud)

From in or about January 2003 to in or about October 2003, at or near Harrison County, West Virginia, within the Northern Judicial District of West Virginia and elsewhere, defendant LOUIS F. ORTENZIO, JR., M.D. did knowingly and intentionally acquire and obtain Lorcet, also known as hydrocodone, a Schedule III controlled substance by misrepresentation, fraud, deception and subterfuge, as demonstrated by the following:

1. On or about September 25, 2003, defendant, Louis F. Ortenzio, Jr., M.D., knowingly, and intentionally prepared a prescription under the name of X.O. (initials) for 75 tablets of Lorcet, also known as hydrocodone, a Schedule III controlled substance.
2. At the time he prepared the fraudulent prescription, defendant knew the prescription was false, and further intended to obtain the Lorcet tablets for his own use and consumption even though there was no valid medical purpose for such use or consumption by defendant.

IN VIOLATION OF TITLE 21, UNITED STATES CODE, SECTION 843(a)(3)


THOMAS E. JOHNSTON
United States Attorney